

Serial No. 09/919,356

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REMARKS

Claims 24-28 are pending in the instant application after this amendment cancels withdrawn claims 17-23 and claim 29. Claims 24-28 are amended by this amendment. No new matter is added. In view of the amendments and the following remarks, reconsideration and allowance of the instant application are respectfully requested.

Claims 24-28 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. Applicants respectfully traverse.

Claim 24 has been amended to clarify that the movement data includes different data. Claim 25 has been amended to claim a communication system and to substitute the phrase "adapted to be" for the phrase "can be", in order to positively recite the feature of the computer program being able to be read by a computer. Claims 26 and 27 have been amended to positively recite a function and delete the "means for" language from the claims. Claim 28 has been amended to clarify that the claim is directed to a computer program execution device. It is therefore respectfully requested that the rejection of these claims be withdrawn.

Claims 24-28 (claim 29 having been cancelled) are rejected under 35 U.S.C. § 102(e) as being anticipated by United States Patent No. 6,810,528 to Chatani et al. (hereinafter referred to as Chatani). Applicants respectfully traverse.

The office action asserts that element 138 of Chatani discloses the means for composing the performance feature of claim 24. Applicants submit that Chatani does not identically disclose or suggest the feature of the means for composing the performance as recited in the claims. The section of Chatani discussing element 138 states:

Further connected to BUS 130 is an image processing unit 138 which is a processor for expanding compressed moving images and texture images, thereby developing the image data. For example, the image processing unit 138 serves functions for decoding and development of bit streams according to the MPEG2

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standard format, macroblock decoding, performing inverse discrete cosine transformations, color space conversion, vector quantization, and the like.

(Chatani; col. 5, lines 15-23). It is respectfully submitted that Chatani does not disclose or suggest means for composing the performance by selecting from the movement data the data that corresponds to the flag information registered on the performance information file to define the movements and expressions of characters, as recited in the claims of the instant application. Chatani does not appear to disclose a selection being performed by element 138, but rather apparently discusses element 138 performing decoding and development of bit streams. These functions are not equivalent to the selecting process recited in the claims. Similarly, Chatani does not identically disclose, or suggest, flag information, nor character expressions, as recited in the present claims. Since Chatani does not identically disclose or suggest all of the features of the independent claims, Chatani does not anticipate the claims.

Additionally, in the interest of expediting prosecution, Applicants herein amend the claims to clarify some of the elements recited therein, including the performance and flag information. The present invention can be clearly distinguished from Chatani in that the movement data that is held by an entertainment system is composed based on both the sequence information and the flag information into a composed performance. Claims 24, 25, and 28 of this application each define that the movement data includes different data corresponding to the flag information, and that the flag information data that partly constitute the sequence information is selected from the movement data to compose the performance. These claims have been amended to clarify the relationship between the movement data and the sequence flag information. In particular, the amended claims clearly define that the movement data is stored in a terminal, that the terminal receives the sequence and flag information, and that the performance, that is

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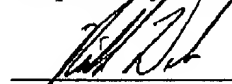
composed by selecting data in the movement data, is based on the sequence and flag information.

It is respectfully submitted that these amended claims clearly distinguish the present invention from Chatani, and therefore, for at least this reason the claims are allowable.

In view of the remarks set forth above, this application is believed to be in condition for allowance which action is respectfully requested. However, if for any reason the Examiner should consider this application not to be in condition for allowance, the Examiner is respectfully requested to telephone the undersigned attorney at the number listed below prior to issuing a further Action.

Any fee due with this paper may be charged to Deposit Account No. 50-1290.

Respectfully submitted,



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